

REMARKS

Favorable consideration and allowance of the claims of the present application are respectfully requested.

In the present Official Action, the Examiner first objected to Claims 1-3 as comprising minor informalities requiring appropriate correction as indicated by the Examiner. Applicants have amended each of Claims 1-3 to correct the minor informality and respectfully request that the Examiner remove the objection to Claims 1-3. Further in the Office Action, Claims 2 and 14 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Yamaguchi et al. (US 6,256,346) (hereinafter "Yamaguchi"). Further, Claim 21 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yamaguchi et al. The Examiner did indicate that Claims 4-13 and 16-20 were allowable. The Examiner further indicated that Claim 1 would be allowable if rewritten or amended to overcome the above-indicated objection. The Examiner further objected to Claims 3, 15 and 22 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In response, Claim 1 is being amended to correct the minor informalities indicated by the Examiner. The Examiner is respectfully requested to withdraw the rejection of Claim 1 and allow amended Claim 1 to proceed to issuance.

With respect to the objection of Claims 3, 15 and 22 under 35 U.S.C. §103(a), applicants hereby cancel respective base independent Claims 2, 14 and 21 and wholly incorporate the subject matter thereof in each of Claims 3, 15 and 22, now amended and recast in independent form to include the subject matter of their respective base claims.

The Examiner is respectfully requested to remove the objections to Claims 3, 15 and 22 in view of the amendments provided herein.

Please note that, while Applicants have amended Claims 3, 15 and 22 and cancelled respective rejected claims 2, 14, and 21 from further consideration in this application, Applicants are not conceding in this application that those Claims 2, 14 and 21 are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter

noted by the examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications

Thus, in view of the allowable subject matter indicated by the Examiner, the Examiner is respectfully requested to enter and consider the Claims 1, 3-13, 15-20 and 22, and allow these claims to proceed to issuance, which action is respectfully solicited.

In view of the foregoing, this application is now believed to be in condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that he call applicant's attorney at (516) 742-4343.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven Fischman', with a long horizontal line extending to the right.

Steven Fischman
Registration No. 34,594

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
SF:gc